



Certificates of Occupancy

A Certificate of Occupancy (CO) documents the legal use and/or occupancy of a building. If planned construction will create a new building, or will result in a change of use, egress, or occupancy for an existing building, a new or amended Certificate of Occupancy is necessary.

A final Certificate of Occupancy will be issued when the completed work complies with the submitted plans and applicable laws, all paperwork is completed, all necessary approvals have been obtained from other appropriate City agencies, all fees owed to the Department are paid, and all relevant violations are resolved. **A new building cannot be legally occupied until either a final or a temporary Certificate of Occupancy has been issued.**

FINDING A CERTIFICATE OF OCCUPANCY

You can obtain a copy of a Certificate of Occupancy from the Department's Customer Service Counter in your borough office or online via the Department's Buildings Information System (BIS). You can also use BIS to check the status of a Certificate of Occupancy.

BUILDINGS BUILT BEFORE 1938

If a building was constructed before 1938 and there has been no change in use or additions to the property, it may not have a Certificate of Occupancy.

If you require proof of the legal use of a building that does not have a Certificate of Occupancy, you must obtain a "Letter of No Objection" from the Department of Buildings' borough office where the property is located.

TEMPORARY CERTIFICATE OF OCCUPANCY

A Temporary Certificate of Occupancy has an expiration date, usually 90 days after its date of issuance. This means that while the Department has determined that the house or apartment building is safe to occupy, the approval is only temporary and is subject to expiration.

OWNER TIPS

- The Department strongly recommends that you negotiate a closing based on a final Certificate of Occupancy, not a Temporary Certificate of Occupancy.
- If you purchase a co-op, condo or house that has a TCO, consult a licensed architect or engineer to determine what work has to be done in order for the building to receive a final CO.
- Once you purchase a property, you, as the owner, have the legal obligation to make sure that the building obtains a final CO documenting its compliance with the Building Code and the Zoning Resolution. Because this is your responsibility, you should ask your attorney to obtain written assurance and sufficient escrow from the seller/developer to ensure that the developer actually finishes any outstanding work and obtains the final CO in a timely manner.

Important Note: If a TCO expires and is not renewed, a new buyer may find it difficult or impossible to renew homeowner's insurance policies or to sell or refinance the new home.